

**Resolution Adopting Final Scope for the Preparation of a Draft Environmental Impact Statement (DEIS) for the Serenity Estates Change of Zone Petition From Residential (CR-40) to Residential Planned Development District (RPDD) for a 60 Unit Senior Citizen Condominium Complex In the Hamlet of Speonk.**

WHEREAS, the Town Board of the Town of Southampton is currently considering a petition to change the zoning of a certain parcel from Residential CR-40 to 'Residential Planned Development District (RPDD)' for the Serenity Estates development proposal; and

WHEREAS, the development concept involves a 60 unit Senior Citizen Condominium complex with additional on-site amenities to include 12 Community Benefit (affordable) Units (CBU) representing 20% of the total units; and

WHEREAS, the subject parcel encompasses approximately 15 acres, and is located on the West side of North Phillips Avenue, approximately 1,258 feet South of Old Country Road and approximately 1,900 feet North of Montauk Highway, in the Hamlet of Speonk, situate in the CR-40 zoning district and identified as Suffolk County Tax Map Parcel 900-350-3-85.1; and

WHEREAS, the application for the proposed action is a Type I Action pursuant to SEQRA and Section 330-246 of the Town Code; and

WHEREAS, on June 13, 2006 the Town Board of the Town of Southampton adopted a Positive Declaration pursuant to the State Environmental Quality Review Act (SEQRA) and Chapter 157 of the Town Code for this change of zone application and assumed Lead Agency; and

WHEREAS, pursuant to SEQRA regulations §617.8 the Town Board may initiate 'scoping' to focus the Environmental Impact Statement on potentially significant adverse impacts; and

WHEREAS, the applicant as project sponsor must submit a draft scope that contains the items identified in SEQRA paragraphs §617.8(f) (1) through (5) to the lead agency; and

WHEREAS, on August 25, 2006, the Town Board held a public scoping session with a 30-day written comment period in order to identify the issues to be considered and how they should be analyzed to ensure that the Draft EIS is a concise, accurate, and comprehensive document that covers all concerns and issues for public and agency review in an appropriate method and level of detail; and

WHEREAS, the Department of Land Management has reviewed the comments from the August 25<sup>th</sup> meeting as well as any written correspondence submitted to the Town Clerk's office during the comment period and has incorporated all suggestions and comments in the final scope.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southampton as lead agency hereby adopts the following final scope for the preparation of a Draft Environmental Impact Statement (DEIS) for the Zone Change application of Serenity Estates; and

BE IT FURTHER RESOLVED, the Town Clerk is directed to forward this resolution and the final scoping document to the project sponsor and all involved agencies identified in the Positive Declaration resolution of June 13, 2006.

**FINAL SCOPE FOR THE PREPARATION OF A DRAFT ENVIRONMENTAL  
IMPACT STATEMENT (DEIS) FOR THE SERENITY ESTATES CHANGE OF ZONE  
PETITION FROM RESIDENTIAL (CR-40) TO RESIDENTIAL PLANNED  
DEVELOPMENT DISTRICT (RPDD) FOR A 60 UNIT SENIOR CITIZEN  
CONDOMINIUM COMPLEX IN THE HAMLET OF SPEONK.**

The subject parcel encompasses approximately 15 acres, and is located on the West side of North Phillips Avenue, approximately 1,258 feet South of Old Country Road and approximately 1,900 feet North of Montauk Highway, in the Hamlet of Speonk, Town of Southampton, situate in the CR-40 zoning district and identified as Suffolk County Tax Map Parcel 900-350-3-85.1.

The development concept involves a 60 unit Senior Citizen Condominium complex with additional on-site amenities to include 12 Community Benefit (affordable) Units (CBU) representing 20% of the total units

Summary

The DEIS shall include a summary. The summary shall be organized as follows:

- A. Brief Description of Proposed Action
- B. List of Involved Agencies and required approvals/permits
- C. Brief listing of the anticipated impacts and proposed mitigation measures for each impact issued discussed in the DEIS.
- D. Brief description of the project alternatives considered in the DEIS. A table shall be presented which assesses and compares each alternative relative to the various impact issues.

Description of Proposed Action

- A. Project Overview; Objectives of the project sponsor
- B. Approvals Necessary
- C. Site Description- to include the following:
  1. General location; acreage; zoning (radius map); and tax map designations
  2. Frontage and access (vehicular and pedestrian, including existing trail systems)
  3. Physical characteristics of site and existing site conditions

4. Environmental characteristics, including topography, steep slopes, wetlands, woodlands, etc.
  5. Description of any easements, restrictions and/or other conditions that affect the development and use of the subject site, including submission of a full title report.
  6. Description of past Feather Factory use on property, including Phase I and Limited Phase II Environmental Site Assessments
- D. Surrounding Uses and Facilities (Radius Map)
1. Residential Areas surrounding the site, including a description of open spaces required by Planning Board for creation of greenway
  2. Commercial areas surrounding site (radius map depicting uses and facilities within 1/2 mile)
- E. Detailed description of Proposed Action
1. Project purpose, benefit and need
    - a. A comprehensive market analysis to determine the demand and rationale for the project to include cost comparisons of real estate tax contribution. Tax ratable for single family residential vs. condominium complex shall include information on tax incentives granted under NYS law for this type of development.
    - b. Include a discussion of similar proposed facilities in this area, in neighboring Westhampton (analysis to include Village Green - fka Remsen Crossing as it is no longer proposed as rental housing), and in Brookhaven on the Southampton border (CR 51 South of Sunrise Highway).
  2. Yield Map prepared in accordance with the existing zoning and include the following analysis:
    - a. Pursuant to §330-246 A (2) (b), the number of Development Rights/Pine Barrens Credits that would be necessary to accomplish the proposed increase in density/yield over the 'as of right' density as determined from the yield map referenced above must be provided.
    - b. In lieu of compliance with the findings of 2(i) above, justification for the proposed increase in density/coverage shall be demonstrated in a quantifiable manner as provided in §330-246 A (2) (c) and as it relates to the number of credits that would normally be required; note that the satisfaction of a public benefit requirement should be consistent with Town Law § 261(b). Note: This discussion may be included under the general topic heading "Community Benefits" and placed in the Land Use and Zoning category.
    - c. Assessment of Suffolk County Department of Health Septic flow comparisons (as-of-right vs. proposed) and methodology for substituting bedroom mix for multi-family projects shall be quantified and included in proposed density over the 'as of right' yield.
    - d. Pursuant to §330-246 A (2) (c), further discussion of how the project's additional density complies with the objective of transferring development rights or Pine Barrens Credits such that "there is no substantial increase in the number of dwelling units or population within the Town because development has been redirected in order to channel growth and preserve more ecologically sensitive lands".

- e. The intensity of density in this location shall be assessed in terms of cumulative impacts on traffic and other public services.
  - f. The housing need in this area shall be described to include discussions with the Housing Director; note that the affordability mix (moderate/middle income community benefit units) should not be pre-determined by the applicant. Maintenance charges and the impact on affordability shall be described
3. Detailed information on the proposed development, including build-out data (building coverage, percentage of impervious surface area, buffers, landscaping, interior roads, etc.)
  4. Conceptual architectural renderings
  5. Construction phasing and scheduling
  6. Floor plan information related to location of affordable (Community Benefit) units. Note that Community Benefit units should be arranged so that they are not isolated from the market-rate units.
  7. Construction phasing and scheduling
- F. Environmental Analyses (Existing Conditions, Potential Impacts and Mitigation Measures)
1. Geology and Soils- to include actual test hole borings performed on site- locations to be depicted on site plan, cross section of results (soil types and depth to groundwater- high and low points)
    - a. Soil classifications on the site and in the project area shall be indicated using the Soil Survey of Suffolk County.
    - b. Assessment of soil type(s) on the site and associated engineering and landscaping limitations shall be discussed
    - c. Construction activities- areas of disturbance and depth of disturbance shall be assessed to include impacts to soils
    - d. Corrective measures necessary to overcome any soil limitations shall be identified.
    - e. Discussion of known plume contamination in vicinity and any impacts associated with soils (summary of subsurface features, suspected contamination and any Suffolk County Health Department, NYSDEC/ USEPA documentation on plume included); include information regarding soil reclamation
    - f. Discussion shall include Long Island Railroad and purported MTBE spill sites in vicinity of subject parcel and in relation to subject parcel
    - g. Topography and Slopes- Describe existing topography, variation in elevation and relationship to surrounding topography. Include a thorough analysis of cut and fill activities. Detailed data regarding the potential impact this action may have on the soil substrate, groundwater flow velocities and natural drainage should be submitted. Analysis to include:
      - i. Topographic contours at two-foot intervals in the United States Coast and Geodetic Survey datum of mean sea level (existing and proposed).
      - ii. Cross-sections of the proposed grading changes in relation to the existing elevations as well as any proposed retaining walls on the site should be

submitted.

h. A thorough narrative description of potential adverse impacts to soils and topography and strategies to minimize impacts.

2. Water Resources

a. Analysis of groundwater recharge areas and hydrological regime to include a watershed analysis (groundwater flow, quality, velocity and water budget). The existing solvent plume and any impacts on water resources for the project area shall be described.

b. Describe anticipated water demand and availability (both for potable consumption and irrigation purposes) and potential impact on groundwater recharge, including consideration of modifications to vegetative cover and cyclical drought conditions. Detailed year round water projections shall be submitted so that the Suffolk County Water Authority may comment on water availability.

c. Suffolk County Department of Health Septic flow comparisons (as-of-right density vs. proposed) shall be analyzed to assess groundwater impacts and impacts to surrounding water bodies.

d. Surface Water Resources/Stormwater Drainage- The DEIS should address pre- and post- development stormwater management conditions and demonstrate compliance/consistency with all applicable rules, regulations and policy guidelines found within the LI Comprehensive Waste Treatment Management Plan (208 Study), Special Groundwater Protection Area (SGPA) plan, Suffolk County Sanitary Code, Long Island Groundwater Management Program, USEPA Phase II Rule, NURP Study and Nonpoint Source Management Handbook, NYSDEC SPDES regulations and local objectives to include Southampton Town Code requirements.

e. Analyze potential for use of biofiltration or other alternatives to catch basins and leaching pools to handle Stormwater runoff.

f. Indicate what arrangements will be made to ensure that Stormwater management facilities and infrastructure within the development are properly maintained.

3. Ecology

a. Evaluation of natural resources on the site through a site inspection by a qualified natural biologist/ecologist to determine vegetational communities, wildlife and general habitat character, as follows. Note that surveys shall be completed during appropriate times of the year.

b. Distribution of vegetative cover types for the entire site (map required) showing general species abundance with size and types of woody species indicated. Descriptions of communities should correspond to Resche's "Ecological Communities of New York State". Vegetational communities shall also be described in terms of their potential habitat quality to support likely species. The presence of threatened, rare, endangered or special concern plant species on or near the subject site based upon available data (Town GIS and NYSDEC Natural Heritage Program) and recent field inspection shall be indicated (map

required)

- c. Tree Clearing/Land Preservation plan that indicates the following: the extent of clearing on site, the location, size and species of any large or unique trees existing on site.
- d. Site-specific analysis of resident and migratory wildlife. Assessment shall include habitat functions (i.e. breeding habitat, transitional, staging areas, feeding and roosting sites and travel lanes). To the extent possible, species composition should be listed and species abundance estimated. The structure of all component communities should be described in sufficient detail to permit an objective means of evaluating the impacts associated with the loss of habitat.

4. Land Use and Zoning

- a. Describe existing land uses and zoning district designations on the subject site, within a ½ mile radius from the site boundaries (include radius map).
- b. Discuss history of land use property and properties surrounding it, including a description of all easements, restrictive covenants and/or other conditions established over the years concerning the use and development of these properties to include recent development proposals and how this project relates to them.
- c. Discuss all relevant land use plans, including but not limited to the 1970 Master Plan, the 1992 Speonk Remsenburg Hamlet Study- Master Plan Update, the 1999 Comprehensive Plan Update, and the Eastport/Speonk/Remsenburg/Westhampton Strategy Study to determine consistency with Comprehensive Planning.
- d. The impacts to land use, zoning and community character resulting from the proposed action shall be assessed in terms of Smart Growth principles (Suffolk County Planning Federation guidelines).
- e. "Community Benefits" shall be described as a quantitative comparison for the proposed increase in density
- f. Describe proposed mitigation measures to minimize potential impacts to surrounding land uses.

5. Traffic and Transportation (note: traffic analysis is subject to review by outside consultants) The DEIS shall contain a thorough analysis of traffic impacts the proposed development may have on the area's roadway system, including construction traffic, as follows:

- a. Internal access roads, driveways, internal parking, and turn-arounds for emergency vehicles shall be illustrated and defined
- b. Curb cuts, sight distance, nearby parking, intersection capacity, traffic signals and unused capacity of nearby roadways. Factors to be considered in the Traffic Impact study to include:
  - i. Data and traffic counts (vehicular assignments for the AM, PM and Saturday peak hours shall be provided) that appropriately address the volume on North Phillips Avenue and in relation to the Old Country Road intersection at both weekends and weekdays during the height of the peak

- (summer) season (Memorial Day to Labor Day)
- ii. Level of service and delay results for each intersection movement/lane group.
- iii. Provide estimate of number of trips and information on type and capacity of vehicles to be used, and trip routing of construction traffic
- iv. Trip generation comparisons
- v. Consideration of cumulative traffic impacts of other developments planned or proposed in the immediate area of the subject site
- vi. The ability of the nearby roads and intersections to absorb any additional traffic the project may generate
- vii. The amount of parking required and provided
- viii. Planned transportation improvements that might affect future traffic patterns in the area
- ix. Timing of required roadway improvements and responsible entities
- x. Access to alternative means of transportation (train, bus route, etc.)
- xi. Sidewalks shall be assessed- those proposed internally within the development as well as connections to existing/distance to hamlet center
- c. Complete projection of construction traffic, including volumes (number of trips), type and size of vehicles, hours of operation, duration, and trip routing- origin/destination of construction vehicles. Include discussion of construction traffic for removal of excess fill from the subject site (if any).
- d. Evaluate impact of gatehouse installation and operation on areawide traffic circulation, including emergency service access; assess alternatives.
- e. Alternative project entry point location(s), including but not limited to establishment of emergency-only access points

6. Community Facilities and Services

- a. Provide a comparison of the number of school children generated by the as-of-right development vs. age-restricted housing; include tax benefit comparisons.
- b. Open Space and Recreation:
  - i. Identify any existing trails on or in the vicinity of the existing
  - ii. site and the potential for linkages (map); or, conversely, discuss the potential for loss of trails on the subject site and the linkages between mapped trail systems.
  - iii. Discuss the potential loss in the amount of open space available on the subject site.
  - iv. Discuss the increased demand for recreational facilities generated by the proposed development.
  - v. Discuss park fee required as part of subdivision regulations vs. provision of recreational amenities
  - vi. Discuss mitigation measures (e.g. conservation easements or trail connections) for the above impacts, if any.
- c. Police, Ambulance & Fire Protection:

- i. Location of stations in relation to the subject site
    - ii. Average response time to the subject site for service Providers
    - iii. Increased demand for services and increased costs for service providers
    - iv. Adequacy of access (to/from and on the subject site) for service providers, as confirmed by written statements by such providers
  - d. Water Supply
    - i. Describe quantity of water required for the proposed development for potable consumption, irrigation and fire-fighting purposes, based upon consideration of total average daily and maximum daily site population, peak usage on a daily basis and seasonal requirements.
    - ii. Describe impacts on the public water supply, if any. Include cumulative impacts of other developments planned or proposed in the area.
    - iii. Discuss impacts related to construction or extension of proposed infrastructure, including water mains.
  - e. Solid Waste
    - i. Estimate quantity of solid waste to be generated by the proposed development, and indicate how it will be disposed of.
    - ii. Discuss impacts of increased solid waste on capacity of existing processing facilities.
  - f. Other Utilities (Gas, Electric, Telephone, Cable, etc.)
    - i. Identify existing infrastructure locations and extension into site by each service provider.
    - ii. Overall demand on existing utilities should be identified.
  - g. Energy. The energy section should analyze which aspects of each building's energy requirements are the most significant, and next consider building attributes such as function, form, orientation, window/wall ratio, etc. to determine conservation and mitigation measures appropriate. Include a discussion related to the potential for buildings and site to be constructed using LEED standards.

7. Historic, Archaeological and Cultural Resources

- a. Submit Phase 1A and Phase 1B archaeological reports as part of DEIS. Discuss findings of reports and mitigation conservation practices necessary.
- b. Consult with Town Historian regarding subject parcel and its historical significance, include findings in this section. Relevant documents from Town Archives shall be included, if warranted.
- c. Findings of said reports shall be submitted to the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) for review and comment. Depending on findings of said reports and commentary by OPRHP, additional cultural assessments may be required.

8. Visual Resources (Aesthetics)

- a. Criteria set forth in the SEQRA Visual EAF Addendum (6 NYCRR

617.20) should be included with the visual assessment in order to assist the impact evaluation. Buildings and their relationship to the viewshed from the road should be included in the analysis.

- b. Discuss and depict through representative photographs the current aesthetic character of the site and surrounding area. Discuss image and character of area suggested by the 1999 Comprehensive Plan Update (theme for Speonk-Remsenburg) as well as 2004 Area Study and how the proposed project is consistent with aesthetic upgrade goals.
- c. Submit color renderings of buildings and proposed streetscape upgrade renderings; note that elevations shall include proposed materials.
- d. On-site lighting shall be described with a cut sheet of proposed fixtures to include height and lumens per fixture, all lighting impacts shall be assessed in terms of the following 'dark sky' initiatives:
  - i. All outdoor lighting shall be designed, located, lamped, and directed to prevent light pollution including excessive lighting, glare, light trespass, and skyglow.
  - ii. The permitted illumination average shall be calculated in footcandles and measured for the required area only.
  - iii. The maximum maintained illumination average should not exceed 2.0 footcandles. The minimum maintained illumination average should not be less than 0.5 footcandles.

9. Noise

- a. The DEIS shall include a noise analysis. Baseline sound measurements shall be taken at several points: on the site, and in the immediate area of the site (to include the nearest homes or community gathering places) at several times throughout the day.
- b. Describe the construction schedule, construction related noise sources, anticipated construction periods and days/times of the week for construction activities.
- c. The impact of the proposed activity to include construction and traffic shall be predicted using available software and technology. The models shall be designed to reflect the topography and distances involved as these may influence the results.
- d. Assess impacts of vegetation removal on noise
- e. To assist the Lead Agency in its review, the DEIS shall assess the proposed action and the potential noise impacts by utilizing the NYSDEC policy document "Assessing and Mitigating Noise Impacts" that identifies avoidance and mitigative measures to reduce or eliminate noise impacts. The DEIS shall then include specific measures to be employed to minimize intrusive and excessive noise, especially during sensitive time periods.

10. Air Quality

- a. Air quality impacts resulting from construction and clearing activities shall be assessed using NYSDEC-established protocols.
  - b. The DEIS shall describe implementation of reasonable fugitive dust suppression techniques during all site activities which may generate fugitive dust.
  - c. Based on the comprehensive soils assessment, the DEIS shall assess the need for particulate monitoring if construction activities on site may generate fugitive dust from exposed waste or contaminated soil.
  - d. Other sources of air emissions shall be evaluated, to include findings from the traffic projection section
11. Growth Inducing Impacts
- a. The DEIS shall describe the likelihood that the proposed action will cause significant increases in local population and trigger further development (e.g. by increasing infrastructure or public services, or other factors that allow or encourage people to move to the area)
  - b. Topics to be considered include population, support facilities and development (build out) potential of the area.
12. Reasonable Alternatives to be Considered:
- a. No-build alternative
  - b. "As of Right" preliminary plat approval for 13 lots with 25% (3 acres) open space
  - c. Alternative density PDD plan with alternative design to incorporate open-space
  - d. Potential and need for proposal to develop an Assisted Living facility vs. age-restricted (senior) housing
  - e. Mixed-use development alternative- to establish on-site retail or other (medical/office) space in connection with senior housing
  - f. Alternatives to gated-development
  - g. Alternative Plans for Eliminating Project Components
  - h. Alternative site and building designs based on mitigation of impacts (to include rearrangement of internal roadway and conceptual building sizes/layout)

The extent and quality of information necessary in order to conduct the analyses of potential adverse impacts shall include the list prepared by the project sponsor in the submitted scope dated August 3, 2006 as well as the information outlined specifically in the items enumerated above.

### **Financial Impact**

None

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steven Kenny, Councilman
<b>SECONDER:</b>	Linda Kabot, Councilwoman
<b>AYES:</b>	Heaney, Graboski, Kabot, Kenny, Nuzzi